

LAWYERING SKILLS AND STRATEGIES I
PROFESSOR LAUREN SIMPSON
SECTIONS E-1 & E-2 • FALL 2017
(REVISED POST-HURRICANE HARVEY)

A. Words of Advice for LSS I

Welcome to the University of Houston Law Center and to my class! I have the two pieces of advice for my LSS students:

- **Start early and get ahead on you reading for the fall.** Start early on your assignments, too. The fall semester—being filled with the many basics of legal study and practice and, frankly, being just so new and different—gets very busy very quickly. So getting ahead of schedule will serve you well, especially as the semester progresses and exams approach. Do it if at all possible.
- **The more effort that you put into this course, the more that you will get out of it.** I strive to give each student detailed feedback on every assignment, graded or not. The more developed your submitted assignments are, the more commentary I can give on them, and the better they will serve as teaching tools tailored to your individual needs. I also provide optional assignments, available on my LSS I web course (maintained by The West Education Network, or “TWEN”), for students to sharpen their skills. I am happy to give feedback on any of these that you complete, so consider doing them if you can.

B. Course Objectives

Lawyering Skills and Strategies I will focus on an introduction to the American legal system and the underlying skills and strategies that lawyers must possess to succeed within it. By working through fact-specific problems both inside and outside the classroom, students will learn to identify legal issues; to locate and to assess the governing law; to communicate with the client; to analyze legal issues within the context of particular fact patterns; to cite to the governing law; and to write clear and concise documents that reflect that legal analysis or that address the client’s transactional needs.

More specifically, the following 12 objectives apply to this LSS course in both semesters (unless otherwise indicated):

1. Understanding the sources, hierarchy, and precedential value of laws
2. Distinguishing different types of legal rules, dissecting them into their basic components, and synthesizing a unified rule of law from disparate sources

3. Understanding and applying the law to the client's case
4. Identifying legal and factual issues applicable to the client's case
5. Conducting legal research to address issues in the client's case
6. Translating legal research and analysis into litigation and transactional documents
7. Understanding the basic considerations relevant to client communications (fall)
8. Citing various authorities according to *The Bluebook*
9. Selecting an appropriate and effective organization and style for legal documents
10. Writing clearly and concisely, conveying ideas precisely and appropriately, and using correct grammar and punctuation in legal documents
11. Understanding how the course's topics and assignments fit into the larger legal context
12. Understanding the ethical and professional issues relevant to various course topics

C. Office Hours and Contact Information

If you have any questions about the course or class assignments, please feel free to ask me. I will have office hours on Mondays and Thursdays from 4:00 p.m. until 6:00 p.m. and by appointment. My office is located in Room 14C-BLB, adjacent to the Lawyering Skills and Strategies office suite. Any changes to my regularly scheduled office hours will be announced by email and posted on the TWEN web course calendar. My office phone is 713-743-2159, but I prefer for students to contact me through my office email, which is ljsimpso@central.uh.edu, or on my cell phone, the number for which you will receive on the first day of class.

D. Class Attendance and Absences

This class is held on **Mondays and Thursdays from 7:30 p.m. to 9:00 p.m.** (classroom: **211 TU2**). Any changes to the regularly scheduled meeting time and location for the class are reflected in the syllabus or will be announced by email and posted on the TWEN web course calendar.

In accordance with UHLC attendance rules, you may miss no more than **five** scheduled classes or mandatory class activities. On the **sixth** absence, you must report to Dean

Tennessee (the Associate Dean for Student Services), where the matter of dismissal will be taken under advisement.

Special rules after Hurricane Harvey:

- In accordance with Law School policy, I will not charge any of my LSS students with an absence through at least September 15. If the Law Center extends this grace period beyond that date, I will advise students. Also, if you are still suffering adverse effects from the storm after the regular absence policy returns, please contact me, and we will work toward an attendance solution as needed.
- Additionally, although I normally reserve the right to count a student absent if (s)he is not in the classroom within 15 minutes of the start of class, I am suspending that policy for the entire fall semester, to account for the storm's aftermath.

E. Course Materials

Following are the required texts for my class:

- Tracy L. McGaugh & Christine Hurt, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (2017 ed.) ["ICW"]
- *The Bluebook: A Uniform System of Citation* (20th ed. 2015) ["Bluebook"]
- Christina Coughlin, John Malmud, & Sandy Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (2d ed. 2013) ["Coughlin"]
- Tina L. Stark, *Drafting Contracts: How & Why Lawyers Do What They Do* (2d ed.) ["Stark"]
- Kamela Bridges & Wayne Scheiss, *Writing for Litigation* (1st ed. 2011) ["Bridges & Scheiss"]

Special notes:

- Unless otherwise instructed, please bring (1) your laptop to every class; (2) your Westlaw, Lexis, and Bloomberg Law passwords to every class; and (3) starting with Class 9, your copy of *The Bluebook* and ICW Workbook to every class.
- We will use all of the above-listed texts in the spring semester, as well, *except* for Stark. *Therefore, you will need to retain all of your textbooks (except for Stark) for the spring semester.* (However, the Stark textbook is an exceptional practical guide that is handy for contract-drafting, and you may decide to keep it for reference in your future practice.)

F. Grading

Curve and Grade Distribution: UHLC requirements set the average of grades in this LSS class between 2.8 and 3.2. A mandatory grade distribution also applies to this class, the specifics of which will be shared later in the semester.

Graded Assignments: The following assignments will be graded and constitute the baseline for your course grade, subject to adjustments as identified in this Course Information Sheet:

1. **Graded Law-Firm Memo – (55% of grade) due Monday, November 6, 2017, at 6:00 p.m.**
2. **Citation Exam (open Bluebook) – (10% of grade) on Thursday, November 16, 2017, from 7:30-8:30 p.m.**
3. **Graded Contract – (35% of grade) due Monday, November 27, 2017, at 6:00 p.m.**

One of the skills you need to master in law school is how to budget and to manage your time. If your Graded Law-Firm Memo or Graded Contract is turned in after 6:14:59 p.m. on the due date, I may deduct the following points for each hour (or part of an hour) that the document is late:¹

- *Graded Law-Firm Memo*: 4 points
- *Graded Contract*: 3 points

(Student grades for these assignments can be very close, so the loss of even a few points can make a significant difference in your curved grade.) *If your Graded Law-Firm Memo or Graded Contract is submitted after 11:59:59 p.m. on the due date, I will not accept it, and your LSS I course grade will be an "F."* If your final grade this semester is an F, you will be required to repeat this course.

If you are seriously ill or are otherwise unable to turn in your Graded Law-Firm Memo or Graded Contract on time, you must notify me in writing *prior to the due date* to seek an extension. *I will consider extensions for true emergencies only.* The following are non-exhaustive examples of things that do not constitute true emergencies: computer problems (including, but not limited to, printer problems), internet problems, routine illnesses, and job-related

¹ For example, a Graded Law-Firm Memo that is turned in after 6:14:59 p.m. but by or before 7:14:59 p.m. on the due date is subject to a 4-point deduction. A Graded Law-Firm Memo that is submitted after 7:14:59 p.m. on the due date is subject to an 8-point deduction: 4 points for the hour spanning from 6:15 p.m. to 7:14:59 p.m., and 4 more points for the hour starting at 7:15 p.m.

matters. I include job-related matters as non-emergencies simply to be fair to all students because each of you carries a heavy work load at his or her job.

Please note that UHLC uses a blind-grading system to ensure fairness in grading. Your name should not appear anywhere on any of your graded assignments. Instead, you will be assigned an exam number each semester. *You are responsible for obtaining your fall exam number before the first graded assignment (the Graded Law-Firm Memo) is due.*

G. Ungraded Assignments

Writing Assignments: **During the semester, I will assign one ungraded writing assignment. (I have eliminated the Ungraded Client-advice Letter assignment due to the school time lost from Hurricane Harvey.)** The course syllabus and TWEN web course calendar indicate the time and date by which this assignment is due. I generally grant reasonable extensions requested in advance and will review assignments submitted after the deadline with my permission. *In contrast, I reserve the right not to review or to give feedback on any ungraded assignment turned in late without my prior permission.* I will not deduct from your final grade if you do not complete the course's ungraded writing assignment. However, those who do not do this assignment will neither receive my feedback (which is extensive) nor get needed writing practice, both of which will place them at a *significant* disadvantage to those who have turned in their ungraded assignment.

Interactive Citation Workbook ("ICW") Exercises: To help you practice your Bluebook citation skills, I will assign certain ICW on-line citation exercises, for which you will receive instructions in the first class. *Be sure that you do the Bluebook exercises, not the ALWD exercises.* ICW exercises should be completed by the end of the day on the due date. Please ensure that you select the option for your ICW results to be emailed to me at ljsimpso@central.uh.edu. If you experience any technical difficulties accessing or completing the problems, please contact me or LexisNexis for assistance.

I will not deduct from your final grade if you do not complete one or more ICW exercises. However, proper citation form is a component of the Graded Law-Firm Memo, and you will also take a final citation exam. It will be impossible to do well on these graded components (or to cite well enough for law practice and scholarly writing on a journal or law review, for that matter) if you do not practice legal citation. Additionally, throughout the semester, I use my students' ICW answers as a diagnostic tool, providing in-class citation tips and practice on areas that are difficult for the majority of students. If students do not do the ICW exercises in a timely fashion, then I cannot see where the class needs help, and I cannot help the class improve its citation skills. For these reasons, all students should complete the ICW exercises in a timely fashion.

H. Class Preparedness

Starting in October, if you are unprepared for class or do not participate in in-class group exercises, I reserve the right to reduce your final course grade up to a maximum of one grade level (e.g., from a B+ to a B). However, if you are still suffering adverse effects from the storm as of October, please contact me, and I will exempt you from this requirement.

I. Submission and Formatting Guidelines for Assignments

Except for ICW citation exercises, your graded and ungraded assignments will be submitted through the TWEN web course, under the “Assignments & Quizzes Drop Box” specified for the assignment.² Unless otherwise specified, assignments submitted through the TWEN web course must be in MSWord or Word Perfect format. You must obtain your fall 2017 semester student exam number (which you will use in lieu of your name because of UHLC’s blind-grading policy) before you submit your first graded assignment. Otherwise, you will not be able to access the assignment or to submit your work product on TWEN.

All graded and ungraded assignments that you submit must conform to these specifications:

- Use Times New Roman or Courier 12-point font on white 8 ½ x 11 paper.
- Double-space each assignment and use one-inch margins on all sides.
- Place page numbers in the bottom center of each page.
- Staple your paper in the top, left corner (for hard-copy submissions only).
- Print only on the front of each page, i.e., no double-sided submissions (for hard-copy submissions only).
- Ensure that you follow all other requirements stated in the assignment sheet for each assignment. To the extent that a particular assignment’s requirements conflict with the specifications stated in this Course Information Sheet, the former control.

² At the time that I distribute a graded assignment, I will always specify at least one alternative method of submission (e.g., hard-copy or email submission to an administrative assistant, to preserve your anonymity), should you experience technical difficulties that prevent your submitting your graded assignment through the TWEN web course. *Any such alternative submission method, however, is subject to the same deadlines as a TWEN submission.*

J. TWEN Web Course

The URL for TWEN is <http://lawschool.westlaw.com/twen/>. In your first class, I will provide each student with two things relevant to my TWEN web course: (1) a short primer on using the web course and (2) a password and instructions for registering on Westlaw (which hosts TWEN). After you register your Westlaw password, please sign on to TWEN right away and register for my web course as soon as possible. My TWEN web course is named **“Lawyering Skills and Strategies I: Section E-1 & Section E-2, Fall 2017.”** There is no password for accessing the web course. Throughout the semester, I will post class information and useful materials on our TWEN web course on a regular basis. You are responsible for reviewing any materials posted to, and the calendar for, our TWEN web course. Because I will usually contact my students through the TWEN email system, *please ensure that the email address that you use for the TWEN web course is one that you check regularly and that it remains current.*

K. Honor Code

The UHLC Honor Code applies to this class. *You are responsible for complying with the Honor Code and for knowing its provisions.* Please ask me if you have any questions regarding how the Honor Code’s provisions apply to specific activities or situations. *It is an Honor Code violation to review the graded assignments written by any of my LSS students from prior years.*

L. Computer Use and Other Disruptions

In accordance with UHLC’s computer-use policy, I prohibit computer use in class for anything other than completing activities that I direct, taking notes, or accessing previous notes or materials for my class, unless otherwise directed by me. Similarly, to avoid disrupting the class, unless I give you permission, please turn off or silence your cell phone and similar devices and avoid talking with your colleagues during class except during in-class exercises. I also do not allow students to record my lectures by any means because I do not want students to feel inhibited in asking questions or in participating in in-class exercises.

M. Legal Writing Center

You may obtain free, individual tutoring at the Legal Writing Center, located in room 14D BLB, just next door to the LSS suite and near my office. Several outstanding upper-level law students staff the Center. They can help you with basic grammar and punctuation skills, proper English usage, and sentence and paragraph construction. The tutors will answer your questions on legal writing, research, and citation for ungraded assignments or in general – although they may not assist in any way with your graded assignments. You may schedule appointments with the Center’s tutors by calling 713-743-0759 or by emailing the Center at C_LawLegalWritingCenter@central.uh.edu. Walk-ins are also welcome.

N. Counseling and Other Services

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html.

Texas Lawyers’ Assistance Program: <https://www.tlaphelps.org/>



Again, welcome to the UHLC! I look forward to working with each of you during the 2017-2018 scholastic year.